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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,010	03/17/2004	Blaise Aguera y Arcas	489/9	4411
27538	7590	06/28/2006	EXAMINER	
KAPLAN GILMAN GIBSON & DERNIER L.L.P.			NGUYEN, PHU K	
900 ROUTE 9 NORTH			ART UNIT	
WOODBIDGE, NJ 07095			PAPER NUMBER	
			2628	
DATE MAILED: 06/28/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

10/803,010

**Applicant(s)**

ARCAS

**Examiner**

Phu K. Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 and 40-85 is/are pending in the application.
- 4a) Of the above claim(s) 40-85 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6-10,15-19,24-29 and 34-37 is/are rejected.
- 7) ☒ Claim(s) 2-5, 11-14, 20-23, 30-33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**PHU K. NGUYEN**  
**PRIMARY EXAMINER**  
**GROUP 2300**

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6-10, 15-19, 24-29, 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by SHIPLEY et al. (6,907,345).

As per claim 1, Shipley teaches the claimed "method", comprising: "zooming into or out of an image having at least one object" (Shipley, figure 6 shows the example of a zoomed map), "wherein at least some elements of the at least one object are scaled up and/or down in a way that is non-physically proportional to one or more zoom levels associated with the zooming" (Shipley, the portions of the map are non-physically zoomed according to their distances from a point of interest; column 5, lines 30-49).

Claim 6 adds into claim 1 "at least some elements of the at least one object are also scaled up and/or down in a way that is physically proportional to one or more zoom levels associated with the zooming" (Shipley, the portions lie completely within the zones defined by distance from the area of interest; column 6, lines 25-54).

Claim 7 adds into claim 6 "the physically proportional scaling may be expressed

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by the following formula:  $p=c.d/z$ , where  $p$  is a linear size in pixels of one or more elements of the object,  $c$  is a constant,  $d$  is a real or imputed linear size in physical units of the one or more elements of the object, and  $z$  is the zoom level in physical linear size/pixel" (Shipley, some portions of the perspective view of map of figure 6 may use the perspective projection according to the claimed formula, see Applicant admission of prior art in paragraph [0059]; furthermore, the claimed phrase "may be expresses" does not require a definite feature).

Claim 8 adds into claim 6 "the elements of the object are of varying degrees of coarseness" (Shipley, different scales for portions of the map); and "the scaling of the elements at a given zoom level are physically proportional or non-physically proportional based on at least one of: (i) a degree of coarseness of such elements; and (ii) the zoom level" (Shipley, the scaling of the portions are dependent on the zoom levels).

Claim 9 adds into claim 8 "the object is a roadmap, the elements of the object are roads, and the varying degrees of coarseness are road hierarchies; and the scaling of a given road at a given zoom level is physically proportional or non-physically proportional based on: (i) the road hierarchy of the given road; and (ii) the zoom level" (Shipley shows a roadmap with varying of road hierarchies in figure 6).

Claims 10, and 15-18 claim a storage medium storing a computer software performing the method of claims 1, 6-9, respectively; therefore, they are rejected under

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the same reason.

Claims 19, and 24-27 claim an apparatus performing the method of claims 1, 6-9, respectively; therefore, they are rejected under the same reason.

As per claim 28, Shipley teaches the claimed "method", comprising: "preparing a plurality of images of different zoom levels of at least one object" (Shipley, figure 6 shows the example of a zoomed map with different scales for its portions), "wherein at least some elements of the at least one object are scaled up and/or down in a way that is non-physically proportional to one or more zoom levels" (Shipley, the portions of the map are non-physically zoomed according to their distances from a point of interest; column 5, lines 30-49).

Claim 29 adds into claim 28 "the images are pre-rendered at a source terminal for delivery to a client terminal" (Shipley, column 4, lines 22-24).

Claims 34-37 depend upon the claim 28 and claim the same features of claims 6-9; therefore, they are rejected under the same reason.

Claims 2-5, 11-14, 20-23, 30-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The allowable feature in claim 2 and its dependent claims 3-5, and similarly, claim 11 and its dependent claims 12-14, claim 20 and its dependent claims 21-23, claim 30 and its dependent claims 31-34, is "the non-physically proportional scaling may be expressed by the following formula:  $p=d'.z.\sup.a$ , where p is a linear size in pixels of one or more elements of the object at the zoom level, d' is an imputed linear size of the one or more elements of the object in physical units, z is the zoom level in units of physical linear size/pixel, and a is a power law where a is not equal to -1.

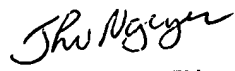
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen  
June 23, 2006

  
PHU K. NGUYEN  
PRIMARY EXAMINER  
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